

AGENDA: January 27, 2004

8.1

CATEGORY: Items Initiated by Council

DEPT.: City Council

TITLE: Authorization to Send a Letter Requesting
Changes to the Mobile Home Residency
Law

RECOMMENDATION

Authorize the Mayor to send a letter to local legislators and the California Department of Housing and Community Development (HCD) requesting that a provision be added to the Mobile Home Residency Law (MRL) to provide the HCD with the ability to enforce the provisions of the MRL.

FISCAL IMPACT

There is no fiscal impact directly associated with the approval of the above-listed recommendation.

BACKGROUND AND ANALYSIS

The City of Mountain View is home to six mobile home parks with 1,128 mobile homes. Over the past several years, the residents of these mobile home parks have been working with the City Council and City staff to address a number of concerns that the mobile home park residents have regarding potential violations of the California Mobile Home Residency Law (MRL) (California Civil Code 798) by specific mobile home park owners. These apparent violations have directly impacted mobile home park residents' quality of living.

The MRL covers the rights and responsibilities of both the park owner and park residents. The MRL differs from the Mobile Home Parks Act in that it does not cover development and building standards. The California Department of Housing and Community Development (HCD) does not have the authority to enforce the provisions of the Mobile Home Residency Law. The MRL provides for enforcement of its provision through private lawsuits, with an attorney's fees provision for the prevailing party. Under some circumstances, when violations concern the maintenance of the park, the district attorney or city attorney may file suit when there is a substantial violation that creates a public nuisance, but in Mountain View these types of substantial violations have been rare.

While working with mobile home park residents to address their concerns, it became evident to me that the current language included in the MRL does not provide adequate remedies for addressing the concerns of the residents. Therefore, I would like to ask the Council to submit

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a letter to the California State Legislature to request that a provision be added to the MRL to provide the HCD with the ability to enforce the provisions of the MRL. Currently, the MRL simply provides the HCD with the ability to comment on concerns expressed by residents who are then directed to pursue civil litigation as their only recourse toward remedies for violation of the MRL.

CONCLUSION

I request Council authorization to have the Mayor sign a letter requesting that the Legislature consider making the aforementioned changes to the MRL.

PUBLIC NOTICING—Agenda posting.

Prepared by:

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GP/JP/9/CAM
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Attachment: 1. Draft of Letter Requesting Changes to the Mobile Home Residency Law